

WEATHER
Fair tonight and
tomorrow; cooler

TONOPAH DAILY BONANZA

Today's Silver
Quotation, 56 1-8

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FORMER EMPLOYEE TELLS OF METHODS

Delaney Tells How the Clients Were Charged Commission on "House Stocks," and Rice Made Sure Cash

NEW YORK, Nov. 11.—John J. Delaney, formerly an employee of the firm, was again a witness yesterday in the case against George Graham Rice, B. H. Scheffels and the other defendants on charges of fraudulent use of the mails and conspiracy. Some orders for stock were "filled" and some "executed." If the concern had stock on hand the order was "filled." If it was necessary to buy it on the curb it was "executed."

"Were all orders sent in by customers when filled or executed charged a commission?" he was asked.

"Yes, commission was charged."

The witness declared that the stocks known as "Jumbo Extension," "Ely Central," "Rawhide Queen" and "Coalition," and that all orders for these stocks were turned over either to Rice or Scheffels and filled from the office. Orders for other stocks or "outside stocks," when cash came with them, were also turned over to Rice or Scheffels except in a case where the customer demanded instant delivery. Then the stock was purchased on the curb.

"Letters to purchase stock," he testified, "would be laid on my desk after the money had been taken from them. I would then look up the stock wanted, and see if remittances were sufficient. If so I would fill out a 'long' slip. I generally made out the slip without going to the curb, but where the customer indicated that he wanted regular delivery of the stock, orders were turned over either to Rice or Scheffels."

"Mr. Delaney," said Assistant United States District Attorney Dorr, "you are an indicted man?"

"Yes," said the witness.

"Were you promised any immunity for testifying here?"

"I was not."

Mr. Baldwin took up the cross-examination of Delaney and attempted to get the witness to admit that he begged Scheffels for a position, but Delaney, with heat, denied he asked for a job.

Delaney was on the stand all day. Cross-examination failed to break the force of his testimony, which the government regards as important.

Wallace L. Durant, a bookkeeper of Scheffels & Co., in a previous hearing, identified many of the telegrams coming from dissatisfied customers, who were demanding when they were to receive the stock they had paid for. When their demands became imperative, Rice, according to the testimony, would order the stock delivered at once.

The witness declared that when things began to look warm Rice would generally send a wire in some such form as this:

"Big kick. Buy for cash. Ship at once."

Then other telegrams showed that the managers of some of the branch houses would also bring pressure on headquarters for stock paid for, but not delivered. Thus one message over the private wire of the concern from the Chicago office, which was put in evidence, read:

"Mr. Thurston was again in today and went after us very rough for non-delivery of 500 Mines America, paid for and due over a month. I regret the necessity of again calling your attention to this matter. Have promised Mr. Thurston his stock Wednesday. So please ship tonight or tomorrow on Twentieth Century."

"Miss Anne Kilcoyne has asked repeatedly for delivery 100 Kerr Lake. This stock has been paid in full. We urge shipment stock for Thursday and earnestly request shipment Kerr Lake as soon as possible."

"Things are looking up, and if the good work can be continued at your end, we hope for some big business soon."

"Will send \$1500 by fast train tomorrow. Also some marketable securities."

HEDRICK.

(Continued on Page Four)

LONG AND SHORT HAUL CLAUSE INVESTIGATION

COMMERCE COURT TO GO INTO DETAILS OF RECENT COMMISSION RULING.

WASHINGTON, Nov. 11.—A thorough judicial inquiry into the constitutionality of the long and short haul provision of the present interstate commerce act will be the result, it is expected, of the issuance yesterday by the commerce court of temporary injunctions in the Pacific coast freight rate cases.

The orders of the court were received by the interstate commerce commission with expressions of surprise. In the judgment of the committee the reductions in transcontinental freight rates made by its orders not only were entirely reasonable, but conservative.

Full recognition, it is pointed out, was given to the effect of ocean competition on the Pacific coast with transcontinental rail rates; but it was maintained by the commission that inter-Rocky mountain cities like Spokane, Reno, Salt Lake and Phoenix, were entitled to more favorable rates on west bound traffic originating in the east.

The question of the constitutionality of the fourth section of the interstate commerce act—the long and short haul provision—it is realized by all in interest, will have to be fought out in the court. In their arguments before the commerce court in support of the temporary injunction, attorneys for the transcontinental lines dwelt particularly on that phase of the case.

FIND VERDICT WHEN REFUSED THEIR BREAKFAST

SAN BERNARDINO, Cal., Nov. 11.—After having been out all night the jury in the case of George Adams, whom the Mexican government charged with murder, sent word to Judge Bledsoe yesterday.

"We cannot agree until we have something to eat."

"The sooner you agree on a verdict the sooner you will eat," was the court's reply.

The jury then offered to pay for their own breakfast, but Judge Bledsoe refused to permit them to leave the jury room.

Half an hour later Adams was acquitted and the jurymen went to breakfast.

Adams was accused of having killed a Mexican section hand. The district attorney moved to dismiss the case and the Mexican government engaged attorneys to prosecute him.

PRESBYTERIAN CHURCH SERVICES TOMORROW

Evening service at 7:45. "The Reformation of Daddy," is the subject of the musical service which the choir will assist the members of the Christian Temperance Union in rendering Sunday evening. This will be a service of human interest and sympathy.

The morning preaching at 11 a. m.; practical lessons from Isaiah. The Bible school meets at 9:45 a. m. Come and find your place with us for a helpful study of the Bible. The Christian Endeavor meeting at 6:30 p. m. leader H. T. Adams. A most cordial invitation is extended to every person without a church home. Herman L. Burnham, minister.

GLOOM AND JOY.

The ice man has a grouch today while the coal man is all smiles and the happiest fellow in town. It will not be very long, however, before the vendor of frozen water will be all smiles as he salutes you.

Big line of new styles in W. B. Corsets just received at Pearl's.

FIRST NATIONAL BANK VERSUS NYE COUNTY

The hearing in the case of the First National Bank of San Francisco against Nye county for the payment of three notes aggregating \$23,000 given to the Nye and Ormsby County bank by Nye county has been occupying the attention of the district court before Judge J. S. Orr of Reno for the past two days, will be submitted to Judge Orr this evening for a decision. This is the outcome of the tangle where Nye county had given its note for money loaned and during this time tax money had been received by the county treasurer and deposited in the bank to the amount of \$66,000. At this period the county auditor was authorized to take up the notes and render a check for the amount. This he did by proffering the check, but the notes were not in the bank, the cashier stating that they had been sent to President Frank Golden at Carson with some other notes and that they had been forwarded by mistake but would be returned at once. He told this same story for about ten days at different intervals, and the notes never materialized until the First National Bank of San Francisco demanded interest and payment of the same. At the time the cashier of the Nye and Ormsby County bank was pleading that the notes would be returned to Nye county, Frank Golden had long prior to this time sold them to the First National Bank of San Francisco to raise money to keep his then insolvent bank's doors open. The County Auditor did not relinquish the county check to cancel the indebtedness because the notes were not forthcoming. When the defunct bank shut up shop that institution owed Nye county \$66,000 and now the San Francisco banking house wants this county to pay the face of the notes and interest; asks that they liquidate the note indebtedness that Nye county called at the Tonopah defunct bank three different days to settle, but was unable to secure the notes. If anyone should pay the notes Frank Golden is the man to be requested to make good the amount. Attorney P. M. Bowler and George B. Thatcher represent the county, while McIntosh & Cook appear for the plaintiff.

RAPINE AND DESOLATION HAS CITY IN ITS GRASP

NANKING, China, Nov. 11.—Historic Nanking yesterday evening was in the shadow of the Manchurian butcher. The sun set upon a scene of fire, rapine, desolation and butchery unrivaled in modern history.

Last night 12,000 Manchurian Imperial old style soldiers held Purple hill, where they are entrenched, while from beneath their stronghold they are driving before them hordes of Chinese out of the city.

PEKIN, Nov. 11.—A round table conference on the situation by men who stand out most prominently at the present moment is the government's latest card. Believing that Yuan Shi Kai will arrive at the capital soon, they have summoned Hsi Liang, the former viceroy of Manchuria, to meet him and strenuously endeavoring to persuade General Chang Shao Tsen, commander of the army division at Lanhu, to join the conclave.

The government frankly hails Yuan Shi Kai as its final support and hopes he will be able to enlist the co-operation of General Chang and other disaffected generals in North China.

General Tuan has recovered complete control of the Phean railroad, so that the road is open for General Chang's journey.

The sudden activity of the throne has lightened the hearts of some of the legations, but the most of them remain pessimistic, pointing out that until Yuan Shi Kai arrives and definitely declares himself, the situation will not be changed.

The latest consular reports state that the tartar general and the Manchurian troops at Nanking are still holding out against the revolutionists and that a big battle is

TRIPOLI SCENE OF ANOTHER FIERCE FIGHT

TRIPOLI, Nov. 11.—Turkish artillery and Arab horsemen made several attacks on the Italian lines yesterday. The Italians fought their way to the trenches of the enemy, who temporarily retired, but again attacked as the Italians were returning to their base. At night the Turks withdrew. The Italians sustained some casualties and the Arabs and Turks many.

PARIS, Nov. 11.—Official advices from Tunis yesterday stated that the city was calm. Last night 400 Arabs were arrested, charged with having caused recent disorders.

Unofficial reports say that the city has been declared in a state of siege because of the threatening attitude of the natives.

WASHINGTON, Nov. 11.—A message to the Italian office at Rome from Tripoli, dated November 8, forwarded to the embassy at this place, states that on November 7 two Italian regiments made reconnaissances on the oriental frontier and found among the Arab dead and wounded the bodies of some Turks. On November 8 the battery at Fort Sidi Mesey broke forth and put to flight large groups of Arab soldiers.

"Some battalions of Italians," the cablegram continues, "made a reconnaissance on the eastern side and found two Italians who had been beheaded."

PIONEER RESIDENT JOINS SILENT MAJORITY

Last evening Mathie Bonifert, aged 54 years, died at his residence in this city of miner's consumption. The deceased came to Tonopah in the spring of 1901 and worked in the mines here until 18 months ago, when his illness compelled him to cease laboring. Before coming to Tonopah, he resided at Douglas, near Sodaville. The deceased leaves to mourn his demise a wife, who was at his bedside when the end came, and three stepsons, residing at Bishop, Cal. The funeral will be held tomorrow afternoon at 1:30 p. m. from the Catholic church.

anticipated at any time. At Amoy report has it that everything is peaceful.

Nanking About to Fall.

SAN FRANCISCO, Nov. 11.—A dispatch from Shanghai received by the Chinese Free Press here says the revolutionary forces have entered all the suburbs of Nanking and are pressing hard on Purple hill, where the imperial troops are entrenched.

The besieging army is expecting large reinforcements, says the message, two brigades having been recruited at Fu Chow, Hang Chow and Shanghai.

Another cablegram from Hong Kong says the revolutionists are assembling troops which they are preparing to rush to Nanking and Wu Chang.

Chang Pak Gee, formerly a general of the imperial army, having lately joined the revolutionists, has been appointed commander in chief of the revolutionary army in the province of Canton.

FORTY HEAD OF FINE RAMS.

Yesterday the Clifford Bros. received a carload of stock rams from Dan Wheeler at Reno. The rams are now being placed with the several bands of sheep owned by the Clifford brothers.

CLIFFORD BROS. PURCHASE BRAND NEW AUTO

The Clifford Bros. of Stone Cabin have purchased a 40-horse-power auto for use between their ranch and Tonopah. They made their first trip to Stone Cabin yesterday.

Subscribe for your home paper.

STORMY SCENE IN M'NAMARA TRIAL

RANCH-HAND TAKES A SHOT AT CHINESE COOK

WINNEMUCCA, Nov. 11.—Following a dispute arising at the dinner-table Wednesday night, Jesse Owen, a ranch hand, employed on the Taylor ranch, near Lovelock, shot and seriously wounded Charlie Lee, the Chinese cook at the ranch.

It is said that after the men had quarreled at the dinner table the Chinaman went to his room and immediately started to come out. Owen thought he had gone for a gun and when the Chinaman opened the door he began shooting. He fired five shots through the door and one went through the Chinaman's body, entering the back on the right side and coming out the front on the left side.

Owen was placed under arrest and released later on \$1000 bail. The Chinaman was attended by Dr. West and it is believed he will recover.

ELEVEN CARS OF FREIGHT RECEIVED YESTERDAY

The following freight in carload lots was received yesterday by the Tonopah & Goldfield railroad: Two cars lumber, Tonopah Belmont Mining Co.; one car lumber, Tonopah Mining company; two cars lumber, National Ice Co.; one car coal, Ed Wheezer; one car coal, Wilkes Hardware Co.; one car tank material, MacNamara Mining Co.; two cars miscellaneous merchandise.

BURGLAR STEPS INTO NET SET BY THE POLICE

NEW YORK, Nov. 11.—The polite and debonair "raffles" who begged the pardon of Mrs. Fred Swift on Tuesday night when he robbed her home of \$1000 worth of valuables, walked into the police net yesterday morning. Dressed in the height of fashion, the burglar, whose identity is still unknown, was espied by a detective carrying a seemingly overweighed satchel.

Though he politely but firmly declined to allow the officer to look into the leather bag, the burglar still maintained his poise, when the detective suddenly opened it and disclosed hundreds of dollars' worth of booty.

Some of the valuables were identified as those belonging to Mrs. Swift. Later the burglar took the police to a cache on Jamaica Bay, where were found hundred of dollars' worth of valuables.

JUDGE MARK AVERILL GOES TO YERINGTON

Judge M. R. Averill of the FBI Judicial District court goes to Yerington tomorrow to hear the habeas corpus application for release from the county jail upon bonds of Dr. Eikner, who shot and killed an undertaker of Mason recently for alienating his wife's affections.

New dress goods, staple dry goods, fancy goods, etc. Popular priced. Pearl's.

DE ORO RETAINS TITLE.

CHICAGO, Nov. 11.—Alfred De Oro, three-cushion billiard champion, retained his title last night, winning the third and last block of fifty points in his 15-point match with George Wheeler. De Oro ran out in his eighty-five inning with a grand total of 150 against Wheeler's 109.

SUGAR PRICES CONTINUE TO DROP; BUYERS WAITING

NEW YORK, Nov. 11.—Owing to increased competition and new crop supplies, the sugar market showed a continued weakness and further declines were reported. Refined was marked down ten cents on a \$6.30 basis for fine granulated.

Subscribe for your home paper.

Darrow Would Settle Trouble With Fists — Counsel for Defense Invites District Attorney Outside.

LOS ANGELES, Nov. 11.—After about three days of life, the "era of good feeling" in the McNamara murder trial proved too much of a strain for opposing counsel and ended abruptly yesterday with Attorney Clarence S. Darrow for the defense accusing District Attorney J. D. Fredericks of unfairness and suggesting that they could settle this question outside the court room.

The collision seemed not to impede the progress of the trial and A. Gripping, a retired harnessmaker, who said the Times once had "swindled" him with a subscription dictionary, was accepted as to cause by both sides.

J. H. Fiske, a retired farmer, who said he believed the Times was dynamited, was under examination when court recessed at noon.

Court Weeds Them Out.

Top veniremen with three others temporarily excused remained from the forty men summoned in the fifth venire in the trial when Judge Walter Bordwell finished his preliminary examination in the forenoon.

James B. McNamara, the defendant, was not present during the preliminary examination, but came into court just before the regular session opened.

Some of the forty veniremen drawn from the jury wheel and excused by the court pleaded ill health.

P. D. Jones, the first talesman of the new venire, was excused because he had been educated in the Quaker faith with conscientious scruples against the death penalty.

John T. Wilson, the next, said he was superintendent of a land company in which General Otis, proprietor of the Times, Otis' son-in-law, Harry Chandler, and others are large stockholders and that he frequently talked over the business of the company with Chandler.

Attorneys Clash.

"I don't think that grounds for challenge," said District Attorney Fredericks.

"We are not challenging," said Attorney Darrow of counsel for the defense. "We just submit that this man, an employee, is not qualified to sit."

"I have taken men situated just the other way," said Fredericks.

"Not in this case," snapped Darrow.

"You have not taken any employee of the McNamara brothers, and Chandler is a witness in this case, too."

The judge finally excused Wilson. Frank G. Wride, a plumber, was excused after he said he would lose pending contracts and could not maintain his family if he would be compelled to do jury service.

SOME WEATHER.

During the wind and snowstorm of last evening, according to the local weather bureau, the wind reached a velocity of 60 miles per hour. For over two hours the speed of the wind's travel ranged between 40 and 50 miles per hour. While it was at its height snow fell for a short time. The clouds soon passed and the thermometer began to descend until between 6 and 8 o'clock this morning it registered 12 degree above zero. During the evening the local weather man received a message from the San Francisco weather station warning him of the approaching cold wave. However the "wave" beat the message to Tonopah.

BEDELS STILL LEAD.

BUFFALO, N. Y., Nov. 11.—Bedell brothers, the Long Island team, and Drobach and Fre, the Boston-Australian pair, yesterday successfully defended their lead of one lap in the six-day bicycle race and had scored 722 miles and six laps at the end of the fourth day's riding.

REPUBLICAN SENATORS.

SANTA FE, N. M., Nov. 11.—It is now certain that republicans will control the legislature absolutely.